IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 12890 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RAHUL @ BIRJUCHARAN @ KAILASH SHARMA

Versus

COMMISSIONER OF POLICE

Appearance:

MS KRISHNA U MISHRA for Petitioner

MR HH PATEL AGP for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 27/02/2001

ORAL JUDGEMENT

#. The petitioner was detained as dangerous person under the order dated 7.6.2000 of Commissioner of Police, Ahmedabad.

#. Learned counsel for the parties are in agreement that this matter is squarely covered by the decision of this court in the case of Kalidas Chandubhai Kahar Vs. State of Gujarat & Ors., 1993(2) GLR 1659.

#. In the result, this petition succeeds and the same is allowed. The order of detention of the petitioner dated 7.6.2000 is quashed and set aside. The petitioner Rahul @Birjuharcharan @Kalisah Sharma, the detenu, at present in Porbandar District Prison, at Porbandar be set at liberty forthwith, if he is not required in any other case. Rule is made absolute. As learned counsel for the respondents fairly conceded the position, no order as to costs.

(S.K.Keshote, J.)

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